

1 WHEREAS, Plaintiff filed a Stipulation to File a Second Amended Complaint on
2 September 15, 2009 which amends the party names and the accused products;

3 WHEREAS, Defendant Sony Corporation of America's ("Sony's") response to Plaintiff's
4 Amended Complaint is due on November 23, 2009;

5 WHEREAS, the Court agreed to the Parties' stipulation regarding Plaintiff's Second
6 Amended Complaint on November 12, 2009;

7 WHEREAS, Plaintiff has not yet served his Second Amended Complaint; and

8 WHEREAS, this additional time will not interfere with any other deadlines set by the
9 Court in this matter.

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11 **STIPULATION**

12 Pursuant to Local Rule 6-1(a), IT IS HEREBY STIPULATED AND AGREED by the
13 parties, through their counsel, that the time within which Sony shall be required to file its answer,
14 motion, counterclaim, cross-claim and/or other responses to Plaintiff's Amended Complaint in this
15 action shall be extended to and including December 22, 2009 or such other time as may be
16 required to respond to a Second Amended Complaint.

17
18 APPROVED AS TO FORM AND CONTENT

19
20 DATED: November 23, 2009

STEVEN M. BAUER
MICHAEL A. FIRESTEIN
JACOB K. BARON
PROSKAUER ROSE LLP

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23 /s/ Jacob K. Baron

Jacob K. Baron

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25 Attorneys for Defendant,
Sony Corporation of America

1 DATED: November 23, 2009

2 DAVID N. KUHN

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4 /s/ David N. Kuhn

David N. Kuhn

5 Attorney for Plaintiff,
6 Gregory Bender

DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B

I, Jacob K. Baron, hereby declare pursuant to General Order 45, § X.B, that I have obtained the concurrence on the filing of this document from the all the signatories listed above.

I declare under penalty of perjury that the foregoing declaration is true and correct.

DATED: November 23, 2009

/s/ Jacob K. Baron

Jacob K. Baron

~~PROPOSED~~ ORDER

Having considered the foregoing Stipulation, and good cause appearing,

(1) The time within which Sony shall be required to file its answer, motion, counterclaim, cross-claim and/or other response to Plaintiff's Amended Complaint in this action shall be extended to and including December 22, 2009 or such other time as may be required to respond to a Second Amended Complaint.

IT IS SO ORDERED

DATED: November 25, 2009

The Honorable Charles R. Breyer
Judge of the United States District Court
Northern District of California

